

THURSDAY, APRIL 22, 1993

THIRTY-SEVENTH LEGISLATIVE DAY

The House met at 9:45 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Robert H. Gray, Sr., First Church of the Nazarene, Nashville, Tennessee.

Representative Robinson led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Boyer; commitment as President of National Society of Professional Land Surveyors.

Representative Jackson; illness.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowikes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

PRESENT IN CHAMBER

Representative(s) Miller and U. Jones was/were recorded as being present in the Chamber.

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REPORT OF COMMITTEE ON CALENDAR AND RULES
April 22, 1993

The Calendar and Rules Committee has met and set the following bill(s) on the **Regular Calendar** for **Monday, April 26, 1993**: House Bill(s) No(s). 932, 933, 1318, 260, 257, 200, 471, 926, 273, 50, 829, 1167, 615, 608, 1499, 953, 660 and 1373.

The Committee set the following bills on the **Regular Calendar** for **Wednesday, April 28, 1993**: House Bill(s) No(s). 1141.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, April 26, 1993**: House Bill(s) No(s). 1548 and 1549; also, House Joint Resolution(s) No(s). 191.

The Committee set the following bill(s) and/or resolution(s) on the **Regular Calendar** for **Monday, May 3, 1993**: House Bill(s) No(s). 1331.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for Monday, April 22, 1993:

House Joint Resolution No. 237 -- Memorials, Death -- Charles W. Houston. by *Venable, *Westmoreland, *Ramsey.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Monday, April 26, 1993:

Senate Joint Resolution No. 0172 -- Memorials, Academic Achievement -- Dupont Elementary School, Overall Excellence Award.

Senate Joint Resolution No. 0173 -- Memorials, Retirement -- J. L. Goins, Pellissippi State President.

Senate Joint Resolution No. 0174 -- Memorials, Sports -- Battle Ground Academy cheerleading squad.

Senate Joint Resolution No. 0176 -- Memorials, Professional Achievement -- Jane C. Barnes, Cheatham County Teacher of the Year.

Senate Joint Resolution No. 0179 -- Memorials, Professional Achievement -- Brenda Ables, TEA Distinguished Classroom Teacher Award, 1993.

Senate Joint Resolution No. 0180 -- Memorials -- Fall Branch Elementary School, 150th anniversary.

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Senate Joint Resolution No. 0181 -- Memorials, Death -- George W. Davis.

Senate Joint Resolution No. 0182 -- Memorials, Recognition and Thanks -- Peggy Vaden.

Senate Joint Resolution No. 0183 -- Memorials, Recognition and Thanks -- Ann Moseley.

Senate Joint Resolution No. 0184 -- Memorials, Professional Achievement -- Tennessee recipients of Milken Family Foundation National Educator Awards.

Senate Joint Resolution No. 0185 -- Memorials, Public Service -- C. Lionel Kendrick.

Senate Joint Resolution No. 0186 -- Memorials, Academic Achievement -- Germantown High School students and Frank Bluestein, award-winning GHS-TV Production Center.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1652 -- Hamilton County -- Enacts "Hamilton County Procurement Law of 1993". Amends Chapter 156, Private Acts of 1941, as amended. by *Stulce, *McAfee, *Meyer, *Wood, *Turner B.

House Bill No. 1653 -- Decherd -- Revises charter. Amends Chapter 318, Acts of 1901, as amended. by *Rigsby.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 0072** -- Police -- Exempts certain municipal officials from law enforcement duties; establishes qualifications and duties of police, reserve and auxiliary officers. Amends TCA 6-54-401, 38-3-103, 38-6-106, 38-8-101. (HB 0041).

Senate Bill No. 0303 -- General Assembly -- Provides that estimated expenditures for general bill stated in fiscal note shall be presumed to be amount of first year's funding if bill is enacted. Amends TCA, Title 3. (*HB 0200).

***Senate Bill No. 0702** -- Budget Procedures -- Enacts "Local Option Budgeting Law of 1993". Amends TCA 49-2-101. (HB 0780).

***Senate Bill No. 0722** -- Public Records -- Makes birth and death certificates, divorce and annulment decrees, marriage licenses and

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marriage license applications public records. Amends TCA 68-3-205. (HB 1276).

***Senate Bill No. 0764 -- Criminal Offenses --** Removes requirement of threatening death or serious injury as effect required to establish charge of stalking. Amends TCA 39-17-315. (HB 1065).

***Senate Bill No. 0810 -- Bad Checks --** Increases handling charge on bad check from \$20.00 to \$25.00. Amends TCA, Title 47, Ch. 29. (HB 0941).

***Senate Bill No. 1059 -- Pardons and Paroles --** Enacts "Open Parole Hearings Act". Amends TCA 40-28-107. (HB 0885).

***Senate Bill No. 1064 -- Motor Vehicles --** Directs department of safety to promulgate uniform traffic citation forms for use by all law enforcement officers. Amends TCA, Title 55, Ch. 10. (HB 0888).

***Senate Bill No. 1204 -- Equalization Board --** Requires certain deposit on each appeal filed with state board of equalization; authorizes board to waive deposit for indigent persons; provides for refund in certain circumstances. (HB 1457).

***Senate Bill No. 1276 -- Highways, Roads and Bridges --** Directs department of transportation to widen to five lanes U.S. 321 from Townsend to Great Smoky Mountains National Park. (HB 0919).

Senate Bill No. 1298 -- Physicians and Surgeons -- Requires University of Tennessee and East Tennessee State University to develop and implement plan to graduate as primary care physicians or family practitioners 10 percent more than currently graduating. Amends TCA, Title 49. (*HB 0990).

***Senate Bill No. 1327 -- Highway Signs --** Requires that 50 percent of proceeds from gross receipts royalty payment on specific service signs be used for highway beautification purposes. Amends TCA, Title 54, Ch. 5. (HB 1122).

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1648 -- McNairy County -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 1649 -- Cleveland -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 1650 -- Shelbyville -- Held on Clerk's desk pending approval by local delegation.

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CONSENT CALENDAR

House Resolution No. 0041 -- Memorials, Interns -- David Holladay.

House Joint Resolution No. 0222 -- Memorials, Sports -- 1992 Henry County High School football team.

House Joint Resolution No. 0223 -- Memorials, Sports -- Henry County girls' basketball team.

House Joint Resolution No. 0224 -- Memorials, Personal Achievement -- Cammy Gregory, Miss Tennessee USA.

House Joint Resolution No. 0225 -- Memorials, Interns -- Ed Frank.

House Joint Resolution No. 0227 -- Memorials, Recognition and Thanks -- Welcomes National Campers and Hikers Association "Campvention" to Lebanon.

House Joint Resolution No. 0228 -- Memorials, Interns -- Michael Joseph Baloga.

House Joint Resolution No. 0230 -- Memorials, Recognition and Thanks -- Claude "Red" McMillan.

House Joint Resolution No. 0231 -- Memorials, Recognition and Thanks -- City of Pulaski, Finalist in All-American City Contest.

House Joint Resolution No. 0232 -- Memorials, Public Service -- Katherine Snyder, President of Tennessee Federation of Democratic Women.

House Joint Resolution No. 0233 -- Memorials, Recognition and Thanks -- Ollie Ruth Farmer.

House Joint Resolution No. 0234 -- Memorials, Recognition and Thanks -- Velma Monday.

Senate Joint Resolution No. 0168 -- Memorials, Sports -- Charles Thomas Clark, Jr. General Chairman of NAIA National Women's Basketball tournament.

Senate Joint Resolution No. 0169 -- Memorials, Professional Achievement -- Steve H. Hall, Cheatham County Teacher of the Year.

Senate Joint Resolution No. 0170 -- Memorials, Recognition and Thanks -- Richard M. "Pek" Gunn, Tennessee's Poet Laureate.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final

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consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowikes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 0948 -- Alcoholic Beverages -- Authorizes sale of alcoholic beverages for consumption on the premises at certain recreational facilities. Amends TCA 57-4-102.

Rep. Chumney moved that House Bill No. 948 be reset one week to the Calendar for Thursday, April 29, 1993, which motion prevailed.

House Bill No. 1305 -- Alcoholic Beverages -- Extends hours of sale of alcoholic beverages on premises designated historic landmark. Amends TCA, Title 57, Ch. 4.

Further consideration of House Bill No. 1305, previously considered on April 8, 1993, at which time it was reset to the Calendar for April 22, 1993.

Rep. U. Jones moved that House Bill No. 1305 be passed on third and final consideration.

Rep. U. Jones moved to adopt Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1305 by deleting from the amendatory language of Section 1 the words and figures "six o'clock a.m. (6:00 a.m.)" and substituting instead the words and figures "five o'clock a.m. (5:00 a.m.)".

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FURTHER AMEND by deleting from the first amendatory paragraph of Section 2 the words "public street" and substituting instead the words "public street, known as Beale Street,".

On motion, Amendment No. 1 was adopted.

Rep. U. Jones moved that **House Bill No. 1305**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	69
Noes.	21
Present and not voting.	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Callicott, Chiles, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davis, DeBerry, Dixon, Duer, Fowkes, Garrett, Givens, Halteman Harwell, Hargrove, Hassell, Haun, Head, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kernell, Lewis, Liles, Love, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Peroulas Draper, Phelan, Phillips, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson, Severance, Stamps, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, West, Westmoreland, Whitson, Williams (Shelby), Williams (Williamson), Wix, Mr. Speaker Naifeh -- 69.

Representatives voting no were: Byrd, Chumney, Coffey, Davidson, Ferguson, Fisher, Haley, Herron, Kent, Kisber, Knight, McAfee, Ramsey, Ritchie, Shirley, Stockburger, Walley, Williams (Union), Windle, Winningham, Wood -- 21.

Representatives present and not voting were: Bittle, Hillis, McDaniel, Owenby -- 4.

A motion to reconsider was tabled.

House Bill No. 0897 -- Veterans -- Authorizes motor vehicle registration fee exemption for holders of purple heart. Amends TCA 55-4-239.

Further consideration of **House Bill No. 897**, previously considered on April 1 and 15, 1993, at which time it was reset to the Calendar for April 22, 1993.

Rep. Winningham moved that **House Bill No. 897** be reset one week to the Calendar for Thursday, April 29, 1993, which motion prevailed.

House Bill No. 1268 -- Medicine, Practice of -- Deletes "prehospital" from definition of "emergency medical care" in Emergency Medical Services Act of 1983; makes definition of "medical direction" by physician of emergency medical services subject to

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direction of hospital. Amends TCA, Title 68, Ch. 140, Pt. 5.

Further consideration of House Bill No. 1268, previously considered on April 15, 1993, at which time it was reset to the Calendar for April 22, 1993.

On motion, House Bill No. 1268 was made to conform with **Senate Bill No. 998**; the Senate Bill was substituted for the House Bill.

Rep. Ferguson moved that **Senate Bill No. 998** be passed on third and final consideration.

On motion, Rep. Dixon withdrew Health and Human Resources Committee Amendment No. 1.

Rep. Ferguson moved that **Senate Bill No. 998** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	1
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Duer -- 1.

Representatives present and not voting were: Ritchie, Venable -- 2.

A motion to reconsider was tabled.

***Senate Bill No. 0327 -- County Officers --** Increases fees charged by county register; removes exemption from filing fees on documents filed by local development authority for mental health facilities. Amends TCA 4-31-707, 8-21-1001, 48-11-303, 48-51-303, 61-2-206, 68-102-125.

Further consideration of Senate Bill No. 327, previously considered on April 15, 1993, at which time it was substituted for House Bill No. 398 and reset to the Calendar for April 22, 1993.

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Rep. Cross moved that **Senate Bill No. 327** be passed on third and final consideration.

Rep. Ramsey moved to consider Amendment No. 4 in place of Amendment No. 1 and place Amendment No. 1 to the heel of the Amendments, which motion prevailed.

Rep. Ramsey moved to adopt Amendment No. 4 as follows:

Amendment No. 4

Amend Senate Bill No. 327 by deleting the period at the end of the amendatory language in Section 2 and adding the following:

, with a student split of not less than forty percent (40%) in one (1) session and not more than sixty percent (60%) in another;

Rep. Cross moved that Amendment No. 4 be tabled, which motion failed by the following vote:

Ayes.	19
Noes.	72
Present and not voting.	2

Representatives voting aye were: Arriola, Bell, Crain, Cross, Ferguson, Fowlkes, Givens, Head, Hillis, Huskey, Kernell, Love, Phillips, Purcell, Rhinehart, Turner (Hamilton), Williams (Williamson), Winningham, Wix -- 19.

Representatives voting no were: Allen, Anderson, Armstrong, Bittle, Brooks, Brown, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Davidson, Davis, DeBerry, Dixon, Duer, Fisher, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Johnson, Jones R (Shelby), Joyce, Kent, Kisber, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Napier, Odom, Owenby, Peroulas Draper, Phelan, Pinion, Pruitt, Ramsey, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Wood -- 72.

Representatives present and not voting were: Moore, Mr. Speaker Naifeh -- 2.

Rep. Cross moved that Senate Bill No. 327 be reset one week to the Calendar for Thursday, April 29, 1993, which motion prevailed.

House Bill No. 1245 -- County Government -- Revises law concerning records, bonds and property taxes. Amends TCA, Titles 5, 8; Title 10, Ch. 7; Title 67.

Further consideration of House Bill No. 1245, previously

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considered on April 15, 1993, at which time it was reset to the Calendar for April 22, 1993.

Rep. Williams (Shelby) moved that House Bill No. 1245 be reset to the next available space to the Calendar for Monday, April 26, 1993, which motion prevailed.

House Bill No. 0978 -- Insurance Companies, Agents, Brokers -- Prohibits insurer from amending or changing classification or rates of commercial insurance after expiration or renewal date of policy without written consent of policyholder. Amends TCA 56-8-104.

Further consideration of House Bill No. 978, previously considered on April 19, 1993, at which time it was reset to the Calendar for April 22, 1993.

Rep. West moved that House Bill No. 978 be reset to the Calendar for Wednesday, April 28, 1993, which motion prevailed.

House Bill No. 0206 -- Garnishments and Executions -- Removes provision which terminates lien on subsequent earnings until expiration of employer's payroll period immediately prior to three months after service of execution. Amends TCA, Title 26, Ch. 2, Pt. 2.

On motion, House Bill No. 206 was made to conform with **Senate Bill No. 134**; the Senate Bill was substituted for the House Bill.

Rep. Rinks moved that **Senate Bill No. 134** be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 134 by deleting the words and figure "three (3) calendar months" and substituting instead the words and figure "six (6) calendar months".

On motion, Amendment No. 1 was adopted.

Rep. Rinks moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Rinks moved that **Senate Bill No. 134**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	2
Present and not voting.	2

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Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Chiles, Stockburger -- 2.

Representatives present and not voting were: Armstrong, Miller -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from aye to present not voting on Senate Bill No. 134 and have this statement entered in the Journal: Rep(s). Stamps.

REGULAR CALENDAR, CONTINUED

House Bill No. 1494 -- Military -- Establishes military affairs commission. Amends TCA, Title 4.

Rep. Knight moved that House Bill No. 1494 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1494 by adding the following as a new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section _____. Implementation of the provisions of this act shall be subject to the funding being provided in the general appropriations act.

On motion, Amendment No. 1 was adopted.

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Rep. Knight moved that **House Bill No. 1494**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	3
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Chiles, Meyer, Stockburger -- 3.

Representatives present and not voting were: Fisher, Ritchie -- 2.

A motion to reconsider was tabled.

House Bill No. 0567 -- Tobacco, Tobacco Products -- Makes it unlawful to sell, distribute or expose for sale tobacco plants, in addition to present law concerning tobacco seed, unless plants have been certified by official seed certifying agency. Amends TCA 43-10-109.

On motion, House Bill No. 567 was made to conform with **Senate Bill No. 619**; the Senate Bill was substituted for the House Bill.

Rep. Givens moved that **Senate Bill No. 619** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	2
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell,

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Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Meyer, Stockburger -- 2.

Representatives present and not voting were: Liles -- 1.

A motion to reconsider was tabled.

House Bill No. 1323 -- Recreational Areas -- Authorizes municipal legislative bodies or committees appointed by such bodies to regulate public recreational property to designate parks not required to post signs warning of penalties for unlawful weapon possession. Amends TCA, Title 39, Ch. 17, Pt. 13.

Rep. Callicott moved that **House Bill No. 1323** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Dixon moved to suspend the rules to transfer House Bill No. 349 from the Public/Allied Health Subcommittee to the Medicaid

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Subcommittee of the Health and Human Resources Committee, which motion prevailed.

RULES SUSPENDED

Rep. Dixon moved to suspend **Rule No. 80(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 349 can be heard by the Medicaid Subcommittee of Health and Human Resources Committee next week, which motion prevailed.

RULES SUSPENDED

Rep. Cross moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 238 out of order, which motion prevailed.

House Joint Resolution No. 0238 -- Memorials, Public Service -- Dr. Burgin H. Wood, Rotary Club 1993 Citizen of the Year. by *Cross.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Cross, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

April 22, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1004; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, April 26, 1993:

House Bill No. 1004: Rep. Ramsey.

House Bill No. 406: Rep. Herron.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

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House Joint Resolution No. 134: Rep(s). Bragg and Kisber as prime sponsor(s).

MESSAGE FROM THE SENATE

April 22, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1363; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

April 22, 1993

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 488, 653, 659, 664, 677, 718, 795, 1218, 1224, 1261, 1498, 1547, 1619, 1631, 1635, 1636, 1637 and 1639; House Joint Resolution(s) No(s). 196, 197, 198, 199, 209, 216, 217, 218, 219, 220, 221, 226, 229 and 235; also, House Resolution(s) No(s). 5, 39 and 43.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 22, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1410 and 1542; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 22, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 202, 203, 204 and 207; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

April 22, 1993

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1305, 1323 and 1494; also, House Joint Resolution(s) No(s). 222, 223, 224, 225,

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227, 228, 230, 231, 232, 233, 234 and 238.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 22, 1993

MR. SPEAKER: I am directed to request the return of House Bill No. 1004, for further consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED
April 22, 1993

The Speaker announced that he had signed the following: House Bill(s) No(s). 488, 653, 659, 664, 677, 718, 795, 1218, 1224, 1261, 1498, 1547, 1619, 1631, 1635, 1636, 1637 and 1639; House Joint Resolution(s) No(s). 196, 197, 198, 199, 209, 216, 217, 218, 219, 220, 221, 226, 229 and 235; also, House Resolution(s) No(s). 5, 39 and 43.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
April 22, 1993

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 630 and 1302.

MESSAGE FROM THE SENATE
April 22, 1993

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 374.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 22, 1993

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 616.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

THURSDAY, APRIL 22, 1993 -- THIRTY-SEVENTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

April 22, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 482, 831, 918, 959, 1118 and 1255; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 22, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 16, 101, 115, 125, 166, 439, 544, 549, 614, 700, 1356, 1423 and 1467; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 22, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 222, 223, 224, 225, 227, 228, 230, 231, 232, 233, 234 and 238; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 22, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 102, 116, 172, 408, 642, 655, 1011, 1094 and 1389; also, House Joint Resolution(s) No(s). 171, 172, 174, 175, 176, 177, 178, 179, 180, 181, 182, 186, 190, 192 and 213; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 22, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 88, 111, 127, 147, 150, 152, 153, 154, 156, 159, 160, 161, 162 and 163; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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MESSAGE FROM THE SENATE
April 22, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 747, 870, 1202 and 1503; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 22, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 438, 482, 638, 1165 and 1560; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 0438 -- Taxes, Assessment --** Establishes construction in process property tax rates. Amends TCA, Title 67. by *McKnight, *Patten, Hamilton, Cooper, Elsea, Henry.

***Senate Bill No. 0482 -- State Employees --** Grants career service employees who are laid off opportunity for job counseling and retraining. Amends TCA 8-30-320. by *Womack.

***Senate Bill No. 0638 -- Motor Vehicles --** Establishes safety inspection fee on freight motor vehicles with proceeds earmarked to PSC. Amends TCA, Title 55, Ch. 4, Pt. 1; Title 55, Ch. 6, Pt. 1, 65-15-107, 109, 113, 116. by *Rochelle, *Crowe, Elsea, Springer.

***Senate Bill No. 1165 -- DUI/DWI Offenses --** Makes it an offense for a person charged with an offense involving alcohol or drug use to carry firearm in vehicle. Amends TCA 65-15-122, 106. by *Burks.

***Senate Bill No. 1560 -- Taxes, Real Property --** Revises property tax exemption for certain low income housing. Same as *SB 1559/HB 1519. Amends TCA 67-5-207. by *Crowe, *Greer, *Holcomb.

MESSAGE FROM THE SENATE
April 22, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 171; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0171 -- Memorials, Professional Achievement -- Opal N. Shearron, Cheatham County Teacher of the Year. by *Rice.

THURSDAY, APRIL 22, 1993 -- THIRTY-SEVENTH LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK
April 22, 1993

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 102, 116, 172, 408, 642, 655, 1011, 1094 and 1389; also, House Joint Resolution(s) No(s). 171, 172, 174, 175, 176, 177, 178, 179, 180, 181, 182, 186, 190, 192 and 213.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, April 26, 1993.